

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

ERIC DEMETRIUS JONES (# 45265)

PLAINTIFF

v.

No. 4:03CV328-P-A

CHRISTOPHER EPPS, ET AL.

DEFENDANTS

ORDER

This matter is before the court, *sua sponte*, for consideration of dismissal. The *pro se* prisoner plaintiff, an inmate at the Mississippi State Penitentiary, has filed a complaint under 42 U.S.C. § 1983. The Prison Litigation Reform Act was enacted in April 1996. This Act provides, *inter alia*, at 28 U.S.C. § 1915(g)

In no event shall a prisoner bring a civil action or appeal a judgment in a civil action or proceeding under this section if the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.

On July 14, 2005, the Fifth Circuit Court of Appeals found that the plaintiff has accumulated at least three “strikes” under 28 U.S.C. § 1915(g) – and barred the plaintiff from proceeding *pro se* in any civil action or appeal while incarcerated unless he is under imminent danger of serious physical injury. *Jones v. Parker*, 04-60630 (Fifth Circuit order dismissing appeal as frivolous). Consequently, it is hereby **ORDERED**:

- 1) That the plaintiff’s *in forma pauperis* status is hereby **REVOKED**.
- 2) That the **DEADLINE** for the plaintiff to pay the filing fee in this case is May 15, 2006.

- 3) That the jury trial of this matter currently set for May 15, 2006, is hereby **CONTINUED** until further order of the court.
- 4) That pursuant to 28 U.S.C. § 1915(g), the plaintiff is **BARRED** from filing any future *pro se in forma pauperis* complaints without permission of the Chief Judge of this court.
- 5) Should the plaintiff fail to pay the \$250.00 filing fee in full by the deadline, this case shall be dismissed.

This, the 20th day of April, 2006.

/s/ W. Allen Pepper, Jr.

W. ALLEN PEPPER, JR.

UNITED STATES DISTRICT JUDGE